

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NORTH DAKOTA**

In Re: Pro-Mark Services, Inc. Debtor	Court File No.: 24-30167 Chapter 7 Case
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**MOTION FOR AN EXTENSION OF TIME TO FILE OBJECTION TO SALE OF
ESTATE ASSETS**

Creditor, Hartford Accident and Casualty Company (“Hartford”), through its undersigned counsel, and pursuant to Fed. R. Civ. P. 6(b), hereby submits this Motion for an Extension of Time to File an Objection to Sale of Estate Assets and in support thereof states as follows:

1. Hartford has attempted to confer with Erik A. Ahlgren, the Trustee of Pro-Mark Services, Inc., (“Debtor”) Chapter 7 Bankruptcy estate on whether he would oppose a motion for an extension of time on the above referenced matter, but Mr. Ahlgren (the “Trustee”) has been in court, and unavailable for conferral.

2. On November 14, 2024, the Trustee filed a Notice of Motion and Motion for Sale of Estate Assets. [D.E. 165]

3. The assets to be sold are a 2008 MEC 3772 RT Man Lift, 2007 SkyJack SJIII3219 Scissor Lift, and a 2010 Mark Line Industries Office Trailer. The assets are to be sold for a total of \$6,000 to Steve Anderson, Jr.

4. The Motion states that any objections to the motion must be made within 21 days of November 14, 2024. Thus, the objection deadline falls on December 5, 2024.

5. Pursuant to Fed. R. Civ. P. 6(b), “the court may, for good cause, extend the time: with or without motion or notice if the court acts, or if a request is made, before the original time or its extension expires.”

6. Here, good cause exists to extend the Court's deadline to show cause because Hartford, as the Debtor's Surety, needs more time to evaluate its interest in the equipment, and whether or not to make an objection.

7. Specifically, pursuant to the General Indemnity Agreement (the "GIA") signed by the Debtor and non-debtor indemnitors, Hartford was assigned Pro-Mark's rights in all supplies, tools, plant, machinery, inventory, equipment, and materials purchased for or used on bonded contracts. The GIA is attached hereto as Exhibit 1. This assignment relates back to the date of the Bonds executed by Hartford¹. *See In re Jones Constr.*, 337 B.R. 579, 585 (Bankr. E.D. Va 2006) *citing In re Prudoff*. 186 B.R. 65 (Bankr. E.D. Va. 1987).

8. Thus, if the equipment for sale in this matter was purchased for any bonded project, Hartford was assigned rights to said equipment and may have reason to object.

9. Hartford's lead counsel in this matter, Connor Cantrell, was in trial regarding a different matter from November 18–22, followed by pre-planned family travel from November 24–30.

10. Hartford requests more time to evaluate whether the equipment described in the Motion was assigned to it, and whether it was used on bonded projects, or was intended to be used on bonded projects.

11. Further, Hartford is evaluating opportunities for a potential resolution with the Trustee to avoid the need for an objection and requires additional time to do so.

12. Hartford therefore requests the deadline to Object to the Motion for Sale of Estate Assets be extended fourteen (14) days, to December 19, 2024.

¹ Hartford executed Bonds for the Debtor between November 8, 2020, and September 28, 2022.

WHEREFORE, the Surety, Hartford Accident and Casualty Company, respectfully requests that this Court enter an Order granting this motion and for such relief as the Court deems just and proper.

Respectfully submitted this 5th day of December, 2024.

THE HUSTEAD LAW FIRM
A Professional Corporation

*Original Signature is on file at The Hustead
Law Firm, A Professional Corporation*

/s/ Connor L. Cantrell

Connor L. Cantrell, Esq.
The Hustead Law Firm
4643 S. Ulster Street, Suite 1250
Denver, Colorado 80237
(303) 721-5000
clc@thlf.com

CERTIFICATE OF SERVICE

I hereby certify that on this 5th day of December, 2024 a true and correct copy of the foregoing MOTION FOR AN EXTENSION OF TIME TO FILE OBJECTION TO SALE OF ESTATE ASSETS was electronically filed with the Court & served to the following:

Erik A. Ahlgren, Trustee
220 W Washington Ave Ste 105
Fergus Falls MN 56537
erik@ahlgrenlawoffice.net

*Original Signature is on File at The Hustead
Law Firm, A Professional Corporation*

s/ Connor L. Cantrell
Connor L. Cantrell, Esq.